

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**  
**DOCKET NO. 2014-393-S**

IN RE:

Village Overlook Condominium Association,	)	
Complainant / Petitioner,	)	<b>VILLAGE OVERLOOK</b>
	)	<b>CONDOMINIUM ASSOCIATION'S</b>
vs.	)	<b>FIRST REQUEST FOR</b>
	)	<b>PRODUCTION OF DOCUMENTS</b>
JACABB Utilities, LLC,	)	<b>TO JACABB UTILITIES, LLC</b>
Defendant/Respondent.	)	
	)	

TO: SCOTT ELLIOTT, ATTORNEY FOR JACABB UTILITIES, LLC

Village Overlook Condominium Association ("VOCA"), pursuant to S.C. Regulation 103-833C., of the Rules and Regulations of the South Carolina Public Service Commission ("Commission"), hereby serves upon JACABB Utilities, LLC ("JACABB"), through its attorney, the following requests for the production of documents. VOCA requests JACABB separately respond and produce the documents requested herein, **no later than twenty (20) days after service hereof**:

**IT IS HEREIN REQUESTED:**

A. Respond to these Requests for Production in full compliance with all provisions set forth in S.C. Regulation 103-833C.

B. Reproduce each Request for Production at the beginning of the corresponding response.

C. Provide responses to these Requests for Production as soon as possible, but **not later than 20 days from service hereof**.

D. If the response to any Request for Production is that the information requested is not currently available, state when the information requested will become available.

E. These Requests for Production shall be deemed continuing. You are therefore required to supplement or amend Your responses as any additional information becomes available up to and through the date of trial.

F. If You assert a privilege not to answer, identify each matter as to which You are asserting the privilege, the nature of the privilege, and the corresponding legal and factual basis.

G. If You refuse to answer an Request for Production on the grounds that same would be unduly burdensome, identify the number and nature of documents needed to be searched, the location of the documents, and the number of man hours and costs required to conduct the search.

H. Answer each Request for Production on the basis of Your entire knowledge.

I. If any Request for Production cannot be answered in full, answer to the extent possible and specify reasons for Your inability to fully answer.

J. Document. The term "document" shall have the broadest possible meaning under applicable law. "Document" means every writing or record of every type and description that is in Your possession, custody or control, including, but not limited to, correspondence, memoranda, drafts, work papers, summaries, stenographic or handwritten notes, studies, publications, books, pamphlets, reports, surveys, minutes or statistical compilations, computer and other electronic records or tapes or printouts, including, but not limited to, electronic mail files (including without limitation, email messages and their attachments, text messages and instant messages); and copies of such writings or records containing any commentary or notation whatsoever that does not appear in the original. The term "document" further includes, by way of illustration and not limitation, schedules, progress schedules, time logs, drawings, computer disks, charts, projections, time tables, summaries of other documents, minutes, surveys, work sheets, drawings, comparisons, evaluations, laboratory and testing reports, telephone call records, personal diaries, calendars, personal notebooks, personal reading files, transcripts, witness statements, indices, video recordings, and audio recordings.

K. Construe "and" as well as "or" either disjunctively or conjunctively as necessary to bring within the scope of these Requests for Production any information which might otherwise be construed outside their scope.

L. "You" and "Yours" shall mean the Party to which these discovery requests are directed and that Party's attorneys, agents, servants, representatives, employees, consultants, officers, and/or directors.

M. "Communications" shall mean the conveyance, transmission, impartation or exchange of thoughts, messages, or information, as by speech, signals, writing, or behavior. The term "Communications" as used herein includes, by way of illustration and not limitation: written "Communications" by way of letter, note, memorandum, bulletin, email, text message, or electronic message and their attachments, and verbal "Communications" by way of telephone call, voicemail, meeting, conversation, or oral statement, including all video and audio recordings of same. The term as used herein further embraces interpersonal "Communications" and those by way of intermediary.

N. "Cliffs at Mountain Park Wastewater Treatment System" shall mean the wastewater treatment plant, collection system, and all related infrastructure serving (a) the Village Overlook Condominiums, (b) the Cliffs at Mountain Park commercial village, and (c) any other residential and/or commercial JACABB customers through JACABB's wastewater treatment plant located at the Cliff's at Mountain Park development, and (d) any other JACABB customers connected or anticipated to be connected to that system.

### **REQUESTS FOR PRODUCTION**

1. Produce a copy of every Document identified and/or referenced in response to VOCA's 1<sup>st</sup> Interrogatories to JACABB dated January 21, 2015, including without limitation every contract, agreement, application, and permit.

2. Produce a copy of every contract and/or agreement, from January 1, 2009 through present, between JACABB and any other person and/or entity, including without limitation every sewer customer every sewer availability customer, every developer, and every property owner, related to JACABB's provision of sewer services and/or sewer availability services through the Cliff's at Mountain Park Wastewater Treatment System (the "Wastewater Treatment System") and/or at the Cliffs at Mountain Park development.

3. Produce a copy of every construction permit, operating permit, and/or any other permit issued by the South Carolina Department of Health and Environmental Control ("DHEC") related to the Wastewater Treatment System and/or JACABB's provision of sewer service at or within five miles of the Cliffs at Mountain Park development.

4. Produce a copy of every document evidencing, setting forth, and/or related to the DHEC permitted treatment capacity of the Wastewater Treatment System.

**ADAMS AND REESE LLP**

BY: s/ John F. Beach  
John F. Beach  
1501 Main Street, 5<sup>th</sup> Floor  
Columbia, SC 29201  
Telephone: (803) 343-1269  
john.beach@arlaw.com  
Attorneys for Village Overlook  
Condominium Association

January 21, 2015